

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WAYNE THOMAS,

Petitioner,

TRANSFER ORDER

-against-

09-CV-5684 (CBA)

UNITED STATES,

Respondent.

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AMON, J.

Petitioner Wayne Thomas, appearing pro se, who is currently detained at the Metropolitan Detention Center in Brooklyn, New York, moves this Court to issue a Writ of Audita Querela pursuant to the All Writs Act, 28 U.S.C. § 1651(a).

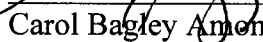
The Court finds no record of any criminal case involving petitioner in this Court. Rather, petitioner was convicted in the United States District Court for the District of Maryland, see United States v. Thomas, 91-CR-00212-WDQ, where petitioner has already challenged his conviction by filing a motion pursuant 28 U.S.C. § 2255, see Thomas v. United States, 01-CV-00206 (FNS). This Court has no jurisdiction to consider a challenge to a criminal conviction or sentence entered in another district court.

Accordingly, the Clerk of Court is directed to transfer this case to the United States District Court for the District of Maryland, pursuant to 28 U.S.C. § 1631. Upon the transfer of the case, the Clerk of Court is to mark this case closed.

SO ORDERED.

Dated: January 6, 2010
Brooklyn, New York

/Signed by Judge Amon/


Carol Bagley Amon
United States District Judge